

File: H
87-1-H1

BEFORE THE ARIZONA STATE BOARD OF PHARMACY

In the Matter of the Hearing to)
Determine Whether or Not to Revoke,)
Suspend, or Place on Probation the)
Certificate of Registration Number)
4751 censure or fine STEPHEN M.)
YOUNGGREN)

NOTICE OF HEARING

No. 87 - 1 - H

DIRECTED TO: STEPHEN M. YOUNGGREN
Catalina Plaza Pharmacy
16150 North Oracle
Tucson, AZ. 85738.

This Notice of Hearing is prepared pursuant to the requirements
established by A.R.S. § 32-1928 and A.C.R.R. R4-23-104.

JURISDICTION

I

For the reasons stated hereinbelow, and pursuant to A.R.S. § 32-1928
the Board of Pharmacy will conduct a hearing at 1:00 p.m., the 23rd day of
June, 1987, at the U of A College of Pharmacy, 1703 E. Mabel, Tucson, Room 109
to determine whether or not Certificate of Registration No. 4751 issued to
Stephen M. Younggren should be revoked, suspended, or placed on probation, cen-
sored or fined.

PARTIES

II

The Arizona State Board of Pharmacy is that body created and empowered
pursuant to A.R.S. § 32-1904 to administer the laws of the State of Arizona
relating to the practice of pharmacy.

III

Stephen M. Younggren is the holder of Certificate of Registration No. 4751,
which allows him to engage in the practice of Pharmacy in the State of Arizona

1 and was, between the dates of February 26, 1986 and October 29, 1986, owner and
2 responsible pharmacist at Catatlina Plaza Pharmacy, 16150 N. Oracle, Tucson,
3 Arizona.

4 CHARGES

5 IV

6 A. On February 26, 1986 Stephen M. Younggren, did issue and dispense Rx
7 #54356 for 8 fluid ounces (240 ml) of Tussionex Suspension to his mother, Beth
8 Younggren, without a medical practitioner's prescription, in violation of
9 §A.R.S. 1968 and §A.R.S. 36-2525.D; and CFR 21-1306.21, and CFR 21-1306.04.

10 B. Between March 1, 1986 and March 29, 1986 Stephen M. Younggren did refill
11 Rx #54356 for 8 fluid ounces (240 ml) of Tussionex Suspension 5 times without
12 authorization from a medical practitioner in violation of §A.R.S. 1968; and
13 §A.R.S. 36-2525.D; and CFR 21-1306.22 and CFR 21-1306.04.

14 C. On May 3, 1986 Stephen M. Younggren did issue and dispense Rx #55632 for
15 16 fluid ounces (480 ml) of Tussionex Suspension to his mother, Beth
16 Younggren, without a medical practitioner's prescription, in violation of
17 §A.R.S. 1968 and §A.R.S. 36-2525.D; and CFR 21-1306.21 and CFR 21-1306.04.

18 D. Between May 14, 1986 and July 31, 1986, Stephen M. Younggren did refill
19 Rx #55632 for 16 fluid ounces (480 ml) of Tussionex Suspension 5 times without
20 the medical practitioner's authorization §A.R.S. 1968 and §A.R.S. 36-2525.D;
21 and CFR 21-1306.22, and CFR 21-1306.04.

22 E. Between August 1, 1986, and October 29, 1986, Stephen M. Younggren,
23 responsible pharmacist was responsible for excessive shortage of 674.83 fluid
24 ounces (20,245 ml) of Tussionex Suspension in violation of §A.R.S. 36-2523 and
25 §A.R.S. 36-2525.D.

1 F. Between August 1, 1986 and October 29, 1986, Stephen M. Younggren,
2 responsible pharmacist was responsible for excessive shortage of 300 Tussionex
3 Tablets in violation of §A.R.S. 36-2523, §A.R.S. 36-2525.D, §A.R.S.
4 36-2531.A.1, and §A.R.S. 36-2531.A.3.

5 G. Between August 1, 1986 and October 29, 1986, Stephen M. Younggren,
6 responsible pharmacist was responsible for excessive shortage of 100 Bancap
7 H.C. Tablets, in violation of §A.R.S. 36-2523, §A.R.S. 36-2525.D, §A.R.S.
8 36-2531.A.1, and §A.R.S. 36-2531.A.3.

9 H. Between August 1, 1986 and October 29, 1986, Stephen M. Younggren,
10 responsible pharmacist was responsible for not having records readily
11 retrievable in violation of CFR 21-1304.04.(h)(2)

12 CAUSE OF ACTION

13 V

14 A.R.S. § 32-1927.A.10 provides that the Certificate of Registration of
15 any pharmacist may be revoked, suspended or placed on probation by the
16 Board when:

- 17 10. The registrant is found by the Board to be guilty of
18 violating any Arizona or federal law, rule or regula-
19 tion relating to the manufacture and distribution of
20 drugs and devices or the practice of pharmacy, to
such a degree as to render such registrant unfit, in
the opinion of the board, to practice the profession
of pharmacy.

21 NOTICE OF HEARING

22 VI

23 Stephen M. Younggren is directed to mail to the Board no later than the
24 1st day of June, 1987, a written response to the charges described above,
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1 specifically his defenses, assertions, or comments concerning such charges.

2 Stephen M. Younggren is notified that he may appear, with or without the
3 assistance of an attorney, on the date and at the time and place specified in
4 this Notice of Hearing and present testimony and argument in support of his
5 defense with respect to the assertions contained in this Notice of Hearing.

6 If the respondent fails to appear, the Board may proceed and determine
7 the matter in his absence.

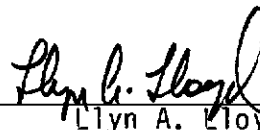
8 Stephen M. Younggren is further notified that no continuance will be
9 granted unless a request for continuance is submitted to the Board in
10 writing, detailing the reasons for the requested continuance, and that
11 request is granted by the Board. Except in the event of an emergency, a
12 request for continuance shall be submitted to the Board no later than seven
13 (7) days prior to the date of hearing.

14 DATED this 14th day of May, 1987.

15 ARIZONA STATE BOARD OF PHARMACY

16
17
18 S E A L

19 By



Llyn A. Lloyd
Executive Secretary

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3 Copies of the Foregoing Notice
4 of Hearing mailed by certified
5 mail this 14th
6 day of May, 1987, to:

5

6 Stephen M. Younggren
7 Catalina Plaza Pharmacy
8 16150 N. Oracle
9 Tucson, AZ 85738

8 And by Courier Mail to:

9

10 Montgomery Lee
11 Assistant Attorney General
12 1275 W. Washington
13 Phoenix, AZ 85007
14 Attorney for the State.

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